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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,) 2:99-cr-259-KJD-PAL
9 Plaintiff,)
10 v.) MOTION TO DISMISS
11 JUSTIN ROSS KELLY,) INDICTMENT
12 aka Thomas Thiede,)
13 Defendant.)
_____)

14 Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, by and through Daniel
15 G. Bogden, United States Attorney, and Russell E. Marsh, Assistant United States Attorney, the
16 United States hereby moves for leave to dismiss this case against defendant JUSTIN ROSS KELLY,
17 aka Thomas Thiede, based on the age of the case and the unknown status of the defendant. This case
18 was indicted on June 16, 1999. The defendant is believed to be a Canadian citizen and his
19 whereabouts are unknown.

20 WHEREFORE, the government hereby moves for leave to dismiss the indictment in this
21 matter against the defendant with prejudice, and further requests that the arrest warrant for the
22 defendant be quashed.

23 DATED this 7th day of June, 2013.

24 Respectfully submitted,
DANIEL G. BOGDEN
25 United States Attorney

26 /s/ Russell E. Marsh
RUSSELL E. MARSH
Assistant United States Attorney

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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**
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6 UNITED STATES OF AMERICA,)

2:99-cr-259-KJD-PAL

7 Plaintiff,)

ORDER

8 v.)

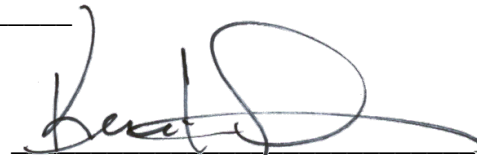
9 JUSTIN ROSS KELLY,)
10 aka Thomas Thiede,)

11 Defendant.)
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13 Based on the foregoing motion of the government, leave is hereby granted and this matter
14 is dismissed with prejudice. It is further ordered that the arrest warrant for the defendant be quashed.

15 SO ORDERED.

16 DATED: 8/30/2013

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19 KENT J. DAWSON
Senior United States District Judge
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